

# NOTICE OF RECEIPT

# WATER RIGHT APPLICATION

(Pursuant to Section § 85-2-307(1), MCA)

Summarized below are the application details as described in an Application to Change of Appropriation Water Right received by the Department of Natural Resources & Conservation on FEBRUARY 16, 2023. This notice reflects the application details only as originally submitted. The notice does not reflect changes to the application details made during the review process.

**Application Number:**41H 30159389

**Applicant:**LAZY TJ ENTERPRISES LLC  
6280 JOHNSON RD  
BOZEMAN, MT 59718 8902

**WATER RIGHT NUMBER(S) BEING CHANGED**

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41H-15887	MAY 31, 1882
Historical Flow Rate: 282.74 GPM	Historical Consumptive Volume: 49.00 AC-FT	
	Historical Diverted Volume: 76.44 AC-FT	

**PAST USE OF WATER**

STATEMENT OF CLAIM 41H 15887-00 WAS HISTORICALLY USED FOR IRRIGATION OF 83 ACRES IN THE N2NE AND S2NE SECTION 2, T03S R05E, GALLATIN COUNTY BETWEEN APPROXIMATELY JUNE 1 AND SEPTEMBER 15. THE SOURCE OF WATER IS HYALITE CREEK WITH A POINT OF DIVERSION AT THE HOY DITCH HEADGATE IN THE SENWNW SECTION 14, T03S R05E, GALLATIN COUNTY. 41H 15887-00 HAS A DECREED FLOW RATE OF 282.74 GALLONS PER MINUTE (GPM) AND A CALCULATED DIVERTED VOLUME OF 147.0 AF WITH A PRIORITY DATE OF MAY 31, 1882, DECREED IN THE MARCH 11, 1897, MIDDLE CREEK DECREE.

**PROPOSED CHANGE**

APPLICANT PROPOSES TO CHANGE THE AQUIFER RECHARGE PURPOSE TO FULFILL THE MITIGATION REQUIREMENT FOR GROUNDWATER PERMIT 41H 30148637. APPLICANT PROPOSES TO CHANGE THE PERIOD OF USE FOR THE AQUIFER RECHARGE PURPOSE FROM 06/01-08/31 TO 05/14-07/31, WHICH SHORTENS THE DURATION FROM 92 DAYS TO 79 DAYS.

**ADDITIONAL INFORMATION**

THE PORTION OF STATEMENT OF CLAIM 41H 15887-00 AUTHORIZED FOR CHANGE WAS SEVERED AND SPLIT CLAIM NO. 41H 30155854 WAS GENERATED FOR THE CONTINUED IRRIGATION OF 40 ACRES.

In general, the department will make a preliminary determination to grant or deny this application within 120 days of the date the application is deemed correct and complete. That date is currently unknown. If the preliminary determination is to grant the application, the application will be published in the local newspaper and a notice will be sent to appropriators who, according to the department records may be affected by the proposed appropriation. Individuals will have at least 15 days and no more than 60 days (specific deadline will be identified at time of notice) to submit an objection under § 85-2-308, MCA, after the application has been published in the newspaper.

Direct questions regarding this application to the Water Resources Regional Office, 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136